

زَكَاةٌ

# Zekah

**(From the book 'The Concise Presentation Of The  
Fiqh Of The Sunnah And The Noble Book')**

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*Assassin With Al Qalam*

دَعَاوَةٌ

بِسْمِ اللَّهِ  
الرَّحْمَنِ  
الرَّحِيمِ

*Assassin With Al Qalam*

## Chapter Five — Zakah

### The Place of Zakah in the Religion

**Z**akah is one of the pillars of Islam and one of its obligatory deeds.

Ibn 'Umar narrated that the Messenger of Allah (ﷺ) said, "Islam is built upon five (pillars): testifying that there is none worthy of worship except Allah and that Muhammad is the Messenger of Allah, establishing the prayers, giving the zakah, making the pilgrimage to the House and fasting the month of Ramadân."<sup>1</sup>

Zakah has been mentioned alongside the prayers in eighty-two verses of the Qur'an.

### The Exhortation to Give Zakah

Allah (ﷻ) says in the Qur'an:

﴿حٰذِ مِنْ اَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا...﴾ (سورة التوبة : ١٠٣)

«Take alms from their wealth in order to purify them and sanctify them with it...»  
(Qur'an 9: 103)

Allah also says:

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<sup>1</sup> Recorded by Bukhari, Muslim (and this is his wording), Tirmidhi and Nasā'i.

﴿وَمَا آتَيْتُمْ مِنْ زَيْتٍ لِيَزِيدَ فِي أََمْوَالِ النَّاسِ فَلَا يَزِيدُ عِنْدَ اللَّهِ وَمَا آتَيْتُمْ مِنْ زَكَاةٍ تُرِيدُونَ وَجْهَ اللَّهِ فَأُولَئِكَ هُمُ الْمُضْعِفُونَ﴾  
(سورة الزُّم : ٣٩)

«And that which you give in gift [to others], in order that it may increase [your wealth by expecting to get a better one in return] from other people's property, has no increase with Allah, but that which you give in Zakah seeking Allah's Countenance then those, they shall have manifold increase.»  
(Qur'an 30: 39)

And Abu Hurayrah narrated that the Messenger of Allah (ﷺ) said, "If someone gives in charity the equivalent of a date from his lawful and good earnings — and Allah only accepts what is lawful and good — Allah will take it in His right hand and raise it for its giver, in the same way that one of you raises his small colt, until it becomes similar to a mountain (in size)."<sup>2</sup>

### *Warning Concerning not Paying Zakah*

Allah has said:

﴿وَلَا يَحْسَبَنَّ الَّذِينَ يَبْخُلُونَ بِمَا آتَاهُمُ اللَّهُ مِنْ فَضْلِهِ هُوَ خَيْرٌ لَّهُمْ بَلْ هُوَ شَرٌّ لَّهُمْ سَيُطَوَّقُونَ مَا بَخُلُوا بِهِ يَوْمَ الْقِيَمَةِ وَلِلَّهِ مِيرَاثُ السَّمَوَاتِ وَالْأَرْضِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ﴾  
(سورة آل عمران : ١٨٠)

«And let not those who covetously withhold of that which Allah has bestowed on them of His Bounty think that it is good for them [and they do not pay the obligatory Zakah]. Nay, it will be worse for them; the things which they covetously withheld shall be tied to their necks like a collar on the Day of Resurrection And to Allah belongs the

<sup>2</sup> Recorded by Bukhari (and this is his wording), Muslim, Tirmidhi and Nasā'i.

heritage of the heavens and the earth; and Allah is Well-Acquainted with all that you do.﴾  
(Qur'an 3: 180)

Abu Hurayrah narrated that the Prophet (ﷺ) said, "Whoever is made wealthy by Allah and does not pay Zakah on his wealth, then on Day of Resurrection his wealth will be made like a bald-headed poisonous snake with two poisonous glands. It will encircle his neck and bite his cheeks and say, 'I am your wealth, I am your treasure.' After stating that, the Prophet (ﷺ) then recited the above verse from Soorah Āli-Imrān, "And let not those who covetously withhold of that which Allah has bestowed on them of His Bounty think..."<sup>3</sup>

Allah also says:

﴿... وَالَّذِينَ يَكْتُمُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يُفْقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ أَلِيمٍ ﴿٣٤﴾ يَوْمَ يُحْمَى عَلَيْهَا فِي نَارِ جَهَنَّمَ فَتُكْوَى بِهَا جِبَاهُهُمْ وَجُنُوبُهُمْ وَظُهُورُهُمْ هَذَا مَا كَنَزْتُمْ لِأَنفُسِكُمْ فَذُوقُوا مَا كُنْتُمْ تَكْتُمُونَ ﴿٣٥﴾﴾  
(سورة التوبة: ٣٤-٣٥)

﴿... Those who hoard up gold and silver, and spend it not in the Way of Allah, announce unto them a painful torment. On the Day when that [wealth] will be heated in the Fire of Hell and with it will be branded their foreheads, their flanks, and their backs, [and it will be said to them], 'This is the treasure which you hoarded for yourselves. Now taste of what you used to hoard.'﴾  
(Qur'an 9: 34-35)

Abu Hurayrah narrated that the Messenger of Allah (ﷺ) said, "If any owner of gold or silver does not pay what is due on him, when the Day of Resurrection would come, pages of fire would be beaten out for him. These would then be heated in the fire of Hell and his

<sup>3</sup> This hadith is *saheeh*. See Shaykh al-Albānī, *Saheeh Sunan Nasā'i*, no. 2327. Recorded by Bukhari.



sides, his forehead and his back would be cauterized with them. Whenever these cool down, (the process is) repeated during a day the length of which is fifty thousand years, until the judgment is pronounced among the servants and he sees whether his path is to Paradise or to the Fire.” It was said, “O’ Messenger of Allah, what about the camel?” He replied, “If any owner of camels does not pay what is due on them, and of his due for them is to milk it on the day when it comes down to water, when the Day of Resurrection comes a soft sandy plain would be set for him, as extensive in length. (He will find) that not a single young one is missing. They will trample him with their hoofs and bite him with their mouths. As often as the first of them passes him, the last of them would be made to return during a day the length of which will be fifty thousand years, until the judgment is pronounced among the servants and he sees whether his path is to Paradise or to the Fire.”<sup>4</sup>

### *The Ruling Concerning the One Who Refuses to Pay Zakah*

Zakah is an obligation concerning which the entire Muslim Nation is agreed. It is so well-known that it has become part of the necessary and basic knowledge of Islam, such that anyone who denies its obligatory status falls outside of the fold of Islam and is to be killed as a disbeliever (apostate), unless he is new to Islam and is excused due to his ignorance of its ruling.

If a person refuses to pay it while believing in it and its obligatory status, then he is sinful due to his refusal to pay but that does not take him out of the fold of Islam. However, the authorities

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<sup>4</sup> This hadith is *ṣaḥeeḥ*. See Shaykh al-Albâni, *Ṣaḥeeḥ al-Jâmi’ aṣ-Ṣagheer*, no. 5729. Recorded by Muslim and Abu Dawood.

should take the Zakah from him by force<sup>5</sup> and should also take half of his wealth as a punishment. Bahz ibn Hakeem narrated from his father on the authority of his grandfather that he had heard the Messenger of Allah (ﷺ) say, "Upon every forty freely-grazing camels, one young she-camel is to be paid. And all the various camels are considered indistinguishable. The one who pays it seeking its reward shall receive its reward. As for one who refuses, we shall take it from him as well as half of his camels as it is a right from among the rights of our Lord. And none (of the Zakah) is permissible for the family of Muhammad."<sup>6</sup>

If a people refuse to pay it while believing in it and in its obligatory status yet they have some type of militia strength, then those people are to be fought until they pay it. This is based on the statement of the Prophet (ﷺ), "I have been ordered to fight against the people until they testify that there is none worthy of worship except Allah and that Muhammad is the Messenger of Allah, establish the prayer and give the Zakah. Then, if they do that, their blood and wealth will be protected from me — except in accordance with the right of Islam. And their reckoning will be with Allah."<sup>7</sup>

Abu Hurayrah said, "During the time of Abu Bakr (رضي الله عنه) some of the Arabs apostatized. 'Umar (رضي الله عنه) said, 'How are you going to fight the people?' He replied, 'Verily, the Messenger of Allah (ﷺ) said, 'I have been ordered to fight against the people until they testify that there is none worthy of worship except Allah. Whoever says that, will have his wealth and life protected from me — except in accordance with due right. And their reckoning will be with Allah.' By Allah, if they keep from me one female goat that they used to pay

<sup>5</sup> As-Sayyid Sābiq, *Fiqh as-Sunnah*, vol. 1, p. 281.

<sup>6</sup> This hadith is *hasan*. See Shaykh al-Albānī. *Saheeh al-Jāmi' as-Sagheer*, no. 4265. Recorded by Abu Dawood, Nasā'i and Ahmad.

<sup>7</sup> Recorded by Bukhari, and this is his wording, and Muslim.

to the Messenger of Allah (ﷺ), I will fight them due to their withholding it.' 'Umar then said, 'By Allah, it was only that Allah had opened Abu Bakr's heart to the necessity of fighting. I then realized that it was the correct position.'"<sup>8</sup>

### *Upon Whom is it Obligatory?*

It is obligatory upon every free Muslim who possesses the *nisâb*<sup>9</sup> (minimum amount) and one year has passed since he has possessed that amount of wealth -- except it in the case of produce wherein the Zakah is due upon it on the harvest day if it reaches the *nisâb*, as Allah (ﷻ) has said:

﴿... وَأَتُوا حَقَّهُ يَوْمَ حَصَادِهِ...﴾ (سورة الأنعام: ١٤١)

﴿... Pay the due thereof on the day of its harvest...﴾ (Qur'an 6: 141)

## **The Types of Wealth Upon Which Zakah is Obligatory**

Zakah is obligatory upon money, crops, fruits, livestock and treasures found in the earth.

### *Zakah on Money, Gold and Silver*

The minimum amount upon which Zakah is due upon gold and silver is twenty *dinars*<sup>10</sup> for gold and two hundred *dirhams* for silver.

<sup>8</sup> Recorded by Bukhari, Muslim, Abu Dawood, Nasâ'i and Turmidhi.

<sup>9</sup> [This term is discussed in more detail shortly.]

<sup>10</sup> [*Dinars* and *dirhams* were the currency existing at the time of the Prophet:]



‘Ali ibn Abu Tālib (ؓ) narrated that the Prophet (ﷺ) said, “If you have two hundred *dirhams* and you have them for one year, you must pay five *dirhams*. And there is nothing upon it, meaning gold, until you have twenty *dinars*. If you have twenty *dinars* and you have them for one year, you must pay half a *dinar*.”<sup>11</sup>

### *Zakah on Jewellery*

Zakah is obligatory on jewellery due to the generality of the verses and hadith. Those who exclude it from the categories of Zakah do not offer any evidence to restrict such generality. In fact, there are some specific texts about it:

Umm Salamah said, “I was wearing jewellery made from *dirhams* of gold. I said, ‘O’ Messenger of Allah (ﷺ), is this a hoarded treasure?’ He replied, ‘What reaches the level that you must pay Zakah on and you pay Zakah on it is not a hoarded treasure.’”<sup>12</sup>

‘Ā’ishah (ؓ) said, “I came to the Messenger of Allah (ﷺ) wearing silver bracelets. He said, ‘What are these, O’ ‘Ā’ishah?’ She replied, ‘I put them on to beautify myself for you, O’ Messenger of Allah.’ He replied, ‘Did you pay the Zakah on them?’ I said, ‘No,’ or, ‘Whatever Allah wills.’ He then said, ‘It is sufficient for you of the Hell-fire.’”<sup>13</sup>

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=Muhammad (Blessings and peace of Allah be upon him). Each one of them is equal to a specific amount of gold and silver, respectively.] - Translator

<sup>11</sup> This hadith is *saheeh*. See Shaykh al-Albāni, *Saheeh Sunan Abi Dawood*, no. 1291. Recorded by Abu Dawood.

<sup>12</sup> This hadith is *hasan*. See Shaykh al-Albāni, *Saheeh al-Jāmi‘ as-Sagheer*, no. 5582 and *Silsilat al-Ahādeeth as-Saheehah*, no. 559. Recorded by Abu Dawood and ad-Dāraqutni.

<sup>13</sup> This hadith is *saheeh*. See Shaykh al-Albāni, *Saheeh Sunan Abi Dawood*, no. 1384. Recorded by Abu Dawood and ad-Dāraqutni.

## *The Zakah on Grains and Fruits*

Allah (ﷻ) says:

﴿وَهُوَ الَّذِي أَنشَأَ جَنَّاتٍ مَّعْرُوشَاتٍ وَغَيْرَ مَعْرُوشَاتٍ وَالنَّخْلَ وَالزَّرْعَ مُخْتَلِفًا أَكْلُهُ. وَالزَّيْتُونَ وَالرُّمَّاتُ مُتَشَبِهًا وَغَيْرَ مُتَشَبِهٍ كُلُّوا مِنْ ثَمَرِهِ إِذَا أَثْمَرَ وَآتُوا حَقَّهُ. يَوْمَ حَصَادِهِ وَلَا تُسْرِفُوا إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ﴾ (سورة الأنعام: ١٤١)

﴿And it is He Who produces gardens trellised and untrellised, and date-palms, and crops of different shape and taste [its fruits and its seeds] and olives, and pomegranates, similar [in kind] and different [in taste]. Eat of their fruit when they ripen, but pay the due thereof on the day of its harvest, and waste not by extravagance. Verily, He likes not those given to extravagance.﴾ (Qur'an 6: 141)

### *What types of crops is zakah due on?*

Zakah is only to be paid on four types of crops, as clarified in the following hadith: Abu Burdah narrated from both Abu Moosa and Mu'adh that the Messenger of Allah (ﷺ) sent them to Yemen to teach the people the matters of their faith. The Prophet (ﷺ) told the two of them not to take Zakah except on the following crops: wheat, barley, dates and raisins.<sup>14</sup>

### *The minimum required before one pays zakah*

In order for Zakah to be obligatory upon the crops and fruits, the amount of the crop must reach the minimum level described in the following hadith. Abu Sa'eed al-Khudri narrated that the Messenger

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<sup>14</sup> This hadith is *saheeh*. See Shaykh al-Albāni, *Silsilat al-Ahādeeth as-Saheehah*, no. 879. Recorded by al-Hākim and al-Bayhaqi.

of Allah (ﷺ) said, "Zakah is not due on less than five camels, or on less than five *uqiyâs*<sup>15</sup> or on less than five *wasq*<sup>16</sup>."<sup>17</sup>

### *The obligatory amount to be paid as zakah*

Jâbir narrated that the Prophet (ﷺ) said, "One-tenth is to be given on what is watered by the rivers and rain. One-twentieth is to be given on what is watered by camels (bringing water from the well)."<sup>18</sup>

Ibn 'Umar narrated that the Prophet (ﷺ) said, "One-tenth is to be given on what is watered by rain, springs or whose roots derive its own water underground. One-twentieth is to be given on what is irrigated from streams (by using camels)."<sup>19</sup>

### *Estimating<sup>20</sup> the dates and grapes*

Abu Humayd as-Sâ'idi said, "We went out with the Prophet (ﷺ) for the Battle of Tabook. When we came to Wâdi al-Qurâ, there was a woman in her garden. The Prophet (ﷺ) said to his Companions, "Estimate (how much produce she will have)." The Prophet (ﷺ) estimated that it would be ten *wasq*. He said to the

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<sup>15</sup> [According to Dr. Muhammad Muhsin Khan, one *uqiya* equals 38.4 grams. See Muhammad Muhsin Khan, trans., *Saheeh Bukhari* (Beirut, Lebanon: Dar al Arabia, 1985), vol. 2, p. 277.] - Translator

<sup>16</sup> [According to Dr. Muhammad Muhsin Khan, one *wasq* equals 180 kilograms. Ibid.] - Translator

<sup>17</sup> Recorded by Bukhari, and this is his wording, Muslim, Tirmidhi, Nasâ'i and Ibn Majah.

<sup>18</sup> This hadith is *saheeh*. See Shaykh al-Albâni, *Saheeh al-Jâmi' as-Sagheer*, no. 4271. Recorded by Muslim, and this is his wording, Abu Dawood and Nasâ'i.

<sup>19</sup> This hadith is *saheeh*. See Shaykh al-Albâni, *Saheeh al-Jâmi' as-Sagheer*, no. 4272. Recorded by Bukhari, and this is his wording, Abu Dawood, Tirmidhi, Nasâ'i and Ibn Majah.

<sup>20</sup> This is to estimate the amount of dates on the date-palms. Tirmidhi states

woman, "Reckon your garden's produce." (Later, upon returning,) when they came to Wâdi al-Qurâ, he said to the woman, "How much did your garden produce?" She replied, "Ten *wasq* that the Messenger of Allah (ﷺ) had estimated."<sup>21</sup>

‘Ā’ishah said, "The Messenger of Allah (ﷺ) used to send ‘Abdullâh ibn Rawāḥah to estimate the dates after they appeared but before any are eaten. He would then give the Jews of Khaybar a choice as to whether they would take that estimate or gave that estimate (to the Muslims, as the produce was to be divided in half). This was done so that the Zakah could be estimated before the fruits were eaten and dispersed."<sup>22</sup>

## **The Zakah on Livestock**

Livestock are of three varieties: camels, cattle and sheep.

### *The Zakah on Camels*

Abu Sa‘eed al-Khudri narrated that the Messenger of Allah (ﷺ) said, "Zakah is not due on less than five camels."<sup>23</sup>

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—that scholars have explained this as saying that when the dates and grapes appear, the governor would send someone to look at them and estimate how much would be the final produce. He would then estimate how much is to be paid and leave them to their crops. When the crop was to be picked, he would come and take the tenth due on it. See *Fath al-Bārī*, vol. 3, p. 403 (Dar ar-Rayyân edition).

<sup>21</sup> This hadith is *saḥeeh*. See Shaykh al-Albâni, *Saḥeeh Sunan Abi Dawood*, no. 2643. Recorded by Bukhari and Abu Dawood.

<sup>22</sup> This hadith is *hasan* due to supporting evidence. See Shaykh al-Albâni, *I’rwâ’ al-Ghaleel*, no. 805. Recorded by Abu Dawood.

<sup>23</sup> Recorded by Bukhari, and this is his wording, Muslim, Tirmidhi, Nasā’i and Ibn Mājah.



### *The obligatory amount on camels*

Anas narrated: When Abu Bakr (رضي الله عنه) sent me to (collect the Zakah from) the province of Eastern Arabia, he gave me a writing which read, "In the Name of Allah, the Most Gracious, the Most Merciful. Here are the obligatory Zakah payments which Messenger of Allah (ﷺ) prescribed on every Muslim and which Allah ordered His Messenger to observe. Therefore, any Muslim who is asked to pay Zakah accordingly should pay it and whoever is asked to give more than this is not to give it. For a flock of twenty-four camels or less and on every five camels, one sheep is to be given as Zakah. If the flock is between twenty-five and thirty-five camels, a one-year-old she-camel is to be given. If the herd is between thirty-six and forty-five camels, a two-year-old she-camel is to be given. If the herd is between forty-six and sixty camels, a three-year-old she-camel is to be given. If the flock is between sixty-one and seventy-five camels, a four-year-old she-camel is to be given. If the total number of the flock is between seventy-six and ninety camels, two two-year-old she-camels are to be given. If the number of the flock is between ninety-one and a hundred and twenty camels, two three-year-old she-camels are to be given. If the herd is over a hundred and twenty camels, on every forty camels, a two-year-old she-camel is to be given, and on every fifty camels, a three-year-old she-camel is to be given. Whoever has only four camels owes nothing as Zakah, but if the owner of these camels wants to give something, he may do so. If the number of camels is five, the owner has to give one sheep as Zakah."<sup>24</sup>

### *If one does not possess the required animal to be given*

Anas narrated: Abu Bakr (رضي الله عنه) sent me a message, explaining Zakah which Allah had ordered His Messenger to observe. It read,

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<sup>24</sup> This hadith is *saheeh*. See Shaykh al-Albānī, *Saheeh Sunan Abi Dawood*, no. 1385. Recorded by Bukhari, Abu Dawood and Nasā'i.

“Whoever is supposed to give a four-year-old she-camel from his flock of camels as Zakah but does not have one and only has a three-year-old she-camel, she should be accepted from him along with two sheep if available, or twenty dirhams. Whereas whoever is supposed to give a three-year-old she-camel as Zakah but does not have one but has a four-year-old she-camel, it should be accepted from him, but the Zakah collector should return twenty dirhams or two sheep to him. Moreover, whoever is supposed to give a three-year-old she-camel as Zakah but does not have one and has a two-year-old one, she should be accepted from him along with two sheep or twenty dirhams. Whereas whoever is supposed to give a two-year old she camel but has a three-year-old she-camel, it is to be accepted from him, but the Zakah collector should return twenty dirhams or two sheep to him. In addition, whoever is supposed to give a two-year-old she-camel but does not have one and has a one-year-old she-camel instead, she is to be accepted from him along with twenty dirhams or two sheep.”<sup>25</sup>

### *The Zakah on Cattle: The Niṣâb and the Obligatory Amount*

Mu‘âdh ibn Jabal said, “The Messenger of Allah (ﷺ) sent me to Yemen and he told me to take from every forty cattle, one young two-year old cow. On every thirty, a young bull or a young cow is to be taken.”<sup>26</sup>

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<sup>25</sup> This hadith is *ṣaheeh*. See Shaykh al-Albâni, *Ṣaheeh Sunan Abi Dawood*, no. 1385. Recorded by Bukhari, Abu Dawood, Nasâ’i and Ibn Majah.

<sup>26</sup> This hadith is *ṣaheeh*. See Shaykh al-Albâni, *Ṣaheeh Sunan Abi Dawood*, no. 1394. Recorded by Tirmidhi, Abu Dawood, Nasâ’i and by Ibn Mâjah, and this is his wording as the others have some additional text at the end.

## *The Zakah on Sheep and Goats:*

### *The Niṣāb and the Obligatory Amount*

Anas narrated that Abu Bakr wrote for him the obligatory Zakah that Allah obliged upon His messenger (ﷺ). The instructions included: "Concerning the Zakah on a freely-grazing herd of sheep/goats, if it is between forty and a hundred and twenty sheep/goats, one sheep/goat is required as Zakah. If the herd of sheep/goats is between a hundred and twenty and two hundred sheep, two sheep/goats are to be given. If the number of sheep/goats is between two hundred and three hundred sheep/goats, three sheep/goats are to be given; and on every extra hundred sheep/goats, one sheep/goat is to be given as Zakah. If somebody has less than forty freely-grazing sheep/goats, no Zakah is required from him, but if he wants to give something, he may do so."<sup>27</sup>

### *Prerequisites for the obligation of zakah on livestock*

1. Possessing the *niṣāb*. This is obvious from the preceding hadith.
2. That they be in the possession of the person for one year. This is based on the hadith, "There is no Zakah on wealth until one year passes over it (in one's possession)."<sup>28</sup>
3. That the livestock be freely-grazing on pastures (as opposed to fodder-fed) for most of the year. This is based on the hadith mentioned earlier, "Concerning the Zakah on a freely-grazing herd of sheep, if it is between forty and a hundred and twenty sheep, one sheep is required as Zakah" and "Concerning freely-grazing camels,

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<sup>27</sup> This hadith is *ṣaḥeeḥ*. See Shaykh al-Albānī, *Ṣaḥeeḥ Sunan Abi Dawood*, no. 1385. Recorded by Bukhari, Abu Dawood and Nasā'ī.

<sup>28</sup> This hadith is *ṣaḥeeḥ*. See Shaykh al-Albānī, *Ṣaḥeeḥ al-Jāmi' aṣ-Ṣagheer*, no. 7497. Recorded by Ibn Majah, ad-Dāraquṭni and al-Bayhaqī.

for every forty, one should give a young she-camel.”<sup>29</sup>

### *What is Not to be Taken as Zakah*

Ibn ‘Abbâs said, “When the Messenger of Allah (ﷺ) sent Mu‘âdh to Yemen, he told him, ‘Avoid taking the best of their wealth.’”<sup>30</sup>

Anas narrated that Abu Bakr wrote to him concerning the obligatory Zakah that Allah obligated upon His Messenger (ﷺ) and he stated, “Neither an old nor a blemished animal nor a male goat may be taken as Zakah unless the Zakah collector accepts it.”<sup>31</sup>

### *Co-Owned Wealth*

If two or more people share in some wealth upon which Zakah is due and it is not possible to distinguish one’s wealth from the other, then they are to pay one Zakah payment if Zakah is obligatory upon them. Anas narrated that Abu Bakr wrote to him the obligatory Zakah that Allah obliged upon His Messenger (ﷺ), saying, “Neither should the property of different people be collected so as to make one whole nor should the whole property be divided for fear of giving more Zakah. If property is possessed by two partners, they should pay Zakah collectively and they will be considered as having paid their Zakah equally.”<sup>32</sup>

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<sup>29</sup> Both of these statements are found in narrations of the writing of Abu Bakr to Anas.

<sup>30</sup> Recorded by Bukhari, Muslim, Tirmidhi, Abu Dawood and Nasâ’i.

<sup>31</sup> This is found in narrations of the writing of Abu Bakr to Anas. [Note that there are two ways to read this hadith. The one as in the translation above and the second as, “unless the owner wills to do so.” In this alternative reading, the exception is referring to the male goat only.] - Translator

<sup>32</sup> This is found in narrations of the writing of Abu Bakr to Anas.



## *Zakah on Buried Treasures*

Buried treasures are those buried in pre-Islamic times which are discovered without expending much wealth or effort. One must pay Zakah immediately upon them, without the prerequisite of it being in one's possession for a year or it reaching the level of the *nisâb*. This point is based on the generality of the Prophet's statement, "One-fifth is (to be paid as Zakah) upon found buried treasures."<sup>33</sup>

## *The Recipients of Zakah*

Allah (ﷻ) has said:

﴿ إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَرَمِينَ وَفِي سَبِيلِ اللَّهِ وَأَبْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴾  
(سورة التوبة: ٦٠)

¶The alms are only for the poor, the needy, those employed to collect [the funds], and to attract the hearts of those who have been inclined [towards Islam]; and to free the captives; and for those in debt; and for Allah's Cause, and for the wayfarer [a traveller who is cut off from everything]; a duty imposed by Allah. And Allah is All-Knower, All-Wise.¶  
(Qur'an 9: 60)

In his commentary to this verse, Ibn Katheer said, "When Allah mentioned the objection to the Prophet (ﷺ) made by the ignorant hypocrites and their ridiculing of him with respect to the

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<sup>33</sup> Recorded by Bukhari, Muslim, Tirmidhi, Nasâ'i, Ibn Mâjah and Abu Dawood. Some of these record a lengthy hadith while the others record a shorter version.

division of the charity, Allah made it clear that He was the One Who established these categories and rulings. He did not leave the categories to anyone other than Him.”

Is it obligatory to give to all of the categories of people mentioned in the verse? Ibn Katheer stated, “The scholars differ concerning these eight categories of people. Is it obligatory to give to all categories or can one give only to those feasible. One view is that it is obligatory to give to all. This is the view of ash-Shâfi‘ee and a number of scholars. The second opinion is that it is not obligatory to give to all the categories. In fact, according to this view, it is permissible to give all of it to just one category all the alms even though the other categories are present. This is the view of Mâlik and a number of early and later scholars, including ‘Umar, Ḥudhayfah, Ibn ‘Abbâs, Abu al-‘Âliyah, Sa‘eed ibn Jubayr and Maymoon ibn Mahrân. Ibn Jarreer said, ‘This is the view of the majority of the scholars.’ In this case, the mentioning of these categories is in order to explain who should receive the Zakah but does not mean to imply that all of them must be given.” Ibn Katheer then said, “We shall mention some hadith related to each of the eight categories:

1. The poor ,

Ibn ‘Amr narrated that the Messenger of Allah (ﷺ) said, “Charity is not permissible for a person of wealth or a person of sound limbs and strength.”<sup>34</sup> ‘Ubaydullâh ibn ‘Adi ibn al-Khiyâr narrated, “Two men informed me that they went to the Prophet (ﷺ) during the Farewell Pilgrimage while he was distributing charity and asked him for some. He looked at them up and down and found them to be strong. He then said, ‘If you two wish, (I will give you) but there

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<sup>34</sup> This hadith is *saheeh*. See Shaykh al-Albâni, *Saheeh al-Jâmi’ as-Sagheer*, no. 7251. Recorded by Tirmidhi and Abu Dawood. Ibn Mâjah and Nasa’i have recorded it from Abu Hurayrah.

is no share in it for a rich man or one strong and able to earn a living.’”<sup>35</sup>

## 2. The needy

Abu Hurayrah narrated that the Messenger of Allah (ﷺ) said, “The needy person is not the one who goes around to the people and is dispensed with by a morsel or two of food or one or two dates.” They asked, “Who then is the needy, O’ Messenger of Allah?” He said, “He does not find enough to satisfy him, and he is not reckoned as needy so people do not give to him while he does not ask anything of the people.”<sup>36</sup>

## 3. Those employed to collect the funds

They are the collectors and messengers who are deserving of a portion due to their efforts. However, it is not allowed to give them anything if they are relatives of the Prophet (ﷺ) for whom it is not allowed to accept charity. It is confirmed in *Saheeh Muslim* from ‘Abdul Mutalib ibn Rabee‘ah ibn al-Hârith that he and al-Fadl ibn al-‘Abbâs asked the Prophet (ﷺ) to employ them in collecting the alms. He told them, “Alms are not permissible for Muhammad or for the family of Muhammad, as they are only the dirt of the people.”<sup>37</sup>

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<sup>35</sup> This hadith is *saheeh*. See Shaykh al-Albâni, *Saheeh Sunan Abi Dawood*, no. 1438. Recorded by Abu Dawood and Nasâ’i.

<sup>36</sup> Recorded by Bukhari, Muslim (and this is his wording), Nasâ’i and Abu Dawood.

<sup>37</sup> This hadith is *saheeh*. See Shaykh al-Albâni, *Saheeh al-Jâmi’ as-Sagheer*, no. 1664. Recorded by Muslim, Abu Dawood and Nasâ’i.

[Note: This translator could not find this hadith with this exact wording in Muslim. Here, the author is taking the text from Ibn Katheer’s Qur’anic commentary while the reference he gives, *Saheeh al-Jami’ as-Sagheer*, no. 1664, has the exact and proper wording from *Saheeh Muslim*. And Allah alone knows best.] - Translator

An-Nawawi explained the meaning of, “the filth of the people.” by noting,=

#### 4. Those whose hearts have been inclined (towards Islam)

Some are to be given so that they will accept Islam. For example, the Prophet (ﷺ) gave Ṣafwān ibn Umayyah from the booty of Hunayn as he had participated in that battle while he was a polytheist. Ṣafwān said, "He continued to give me until he become the most beloved person to me after he had been the most hated person to me."<sup>38</sup>

Some are to be given in order to improve their Islam and make their hearts firm. For example, also after Hunayn, the Prophet (ﷺ) gave one hundred camels to some of the nobles of those who embraced Islam in Makkah after it was conquered. He stated, "I give to one person while another is more beloved to me out of fear that Allah may throw him on his face into the Hell-fire."<sup>39</sup>

Bukhari and Muslim record from Abu Sa'eed that 'Alī sent to the Prophet (ﷺ) a gold nugget still in its dirt from Yemen. He distributed it among four people: al-Aqara' ibn Ḥābis, 'Uyainah ibn Badr, 'Alqamah ibn 'Ulāthah and Zayd al-Khayr. The Prophet said, "It was to reconcile (their hearts)."<sup>40</sup>

Some people are given out of hopes that their peers will embrace Islam. Others are given to collect alms from his surrounding areas. And some may be given in order to fend off any harm to the Muslims from the border areas. And Allah alone knows best.

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= "It purifies their wealth and souls, as Allah has said, 'Take from their wealth alms to cleanse and purify them by it.' Thus, it is like the filth that results from cleaning." See *Muslim bi-Sharh an-Nawawi*, vol. 7, p. 251.

<sup>38</sup> This hadith is *saheeh*. See Shaykh al-Albānī, *Mukhtasar Saheeh Muslim*, no. 1588. Recorded by Muslim, Abu Dawood and Nasā'i.

<sup>39</sup> Recorded by Bukhari, Muslim, Abu Dawood and Nasā'i.

<sup>40</sup> Recorded by Bukhari, Muslim and Abu Dawood.



Is the Zakah still to be given to those whose hearts are to be reconciled after the time of the Prophet (ﷺ)? Ibn Katheer states that on this point there is a difference of opinion. It is narrated from 'Umar, 'Āmir, ash-Sh'abi and a group of scholars that they are no longer to be given after the death of the Prophet (ﷺ). This is because Allah has strengthened Islam and its people, has established it in the land and has made the people subservient to it. Others say that they are still to be given from the Zakah because the Prophet (ﷺ) gave to such people after the victory over Makkah and the defeat of Hawāzin. Thus, it could still be needed and such people are still to be given.

#### 5. To free the captives

It is narrated from al-Ḥasan al-Basri, Muqātil ibn Ḥayyān, 'Umar ibn 'Abdul 'Azeez, Sa'eed ibn Jubayr, an-Nakha'ee, az-Zuhri and Ibn Zayd that this is in reference to the slaves who have made an agreement to pay for their freedom. Similar has been narrated from Abu Moosa al-Ash'ari. This is also the opinion of ash-Shafi'ee and al-Layth. Ibn 'Abbās and al-Hasan also stated that there is no harm in freeing slaves with the Zakah. This is the view of Aḥmad, Mālik and Ishāq. "Slaves" is a more general category than those slaves who have contracted to pay for their freedom. Hence, one can purchase slaves and free them independently. There are many hadīth that speak about the virtues of freeing and releasing slaves. For example, Allah will rescue for him every limb due to the limbs that he set free, even down to the private parts.<sup>41</sup>

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<sup>41</sup> This hadīth is *saheeh*. See Shaykh al-Albānī, *Saheeh al-Jāmi' as-Sagheer*, no. 6051. Tirmidhī recorded from Abu Hurayrah that he heard the Messenger of Allah (Blessings and peace of Allah be upon him) say, "Whoever sets free the neck of a believing Muslim, Allah will rescue every limb for limb from the Hell-fire, even including the private parts."

[Note: This hadīth is actually recorded by Bukhari and Muslim as well and it is more befitting to attribute it to these two sources.] - Translator

## 6. Those in debt

These fall into different categories. These include those who incurred expenses in solving disputes among others, those who have guaranteed a loan that has now become due, those who cannot pay their debts and those who committed sin but then repented. All of these may be given to as part of this category.

The basis for this is the hadith of Qabeçşah ibn Mukhâriq al-Hilâli who said, "I incurred a debt (resolving a dispute between people) and went to the Messenger of Allah (ﷺ) asking him to help pay it. The Messenger of Allah (ﷺ) said, 'Wait until some charity is brought to us so that we give it to you.' He then said, 'O' Qabeçşah! Begging is not allowed except in three cases: a man who incurred debts solving disputes — he is allowed to ask until he collects its amount and then must stop. A man who was inflicted by a disaster that consumed his wealth, he is allowed to ask until he collects what suffices for his livelihood. And a man who was overcome by poverty, such that three knowledgeable relatives of his stand up and proclaim, 'So-and-so was overcome by poverty.' This man is allowed to ask until he collects what sustains his livelihood. Other than these cases, begging is an unlawful amount that one illegally consumes.'"

## 7. For Allah's Cause

This refers to the fighters who have no right to receive money from the public treasury. According to Aḥmad, al-Ḥasan and Ishâq, it also includes the pilgrimage to Makkah, based on a hadith.

I (the author) add that Ibn Katheer is referring to the following hadith narrated by Ibn 'Abbâs: "The Messenger of Allah (ﷺ) was intending to perform the pilgrimage. A woman said to her husband, 'Let me make the pilgrimage with the Messenger of Allah (ﷺ).' He replied, 'I have nothing for you to make the pilgrimage on.' She said, 'Let me ride on such and such camel of yours.' He replied, 'It is being

kept for the sake of Allah.’ He then went to the Messenger of Allah (ﷺ) and said, ‘My wife conveys her greetings to you. She has asked me to make the pilgrimage with you. I told her that I have nothing for her to make the pilgrimage on and she requested such and such camel. I told her that it was being kept for the sake of Allah.’ The Prophet (ﷺ) then told him, ‘If you let her make the pilgrimage upon it, it would be for Allah’s cause.’”<sup>42</sup>

#### 8. For the wayfarer

This refers to the traveller who is cut off in a foreign land and has nothing to help him along in his journey. He is to be given from the Zakah until he is able to reach his homeland, even if he be a person of wealth. This is also the ruling for a person who starts a journey from his land and has no money, he is to be given sufficient money from the Zakah until he is able to go and return. The evidence for this position is in the verse above as well as the following hadith recorded by Abu Dawood and Ibn Mâjah from the hadith of Ma’mar from Yazeed ibn Aslam from ‘Atâ’ ibn Yasâr from Abu Sa’eed who said that the Messenger of Allah (ﷺ) said, “It is not permissible to give charity to a rich person except in five cases: one employed to collect the Zakah, a fighter for the sake of Allah, a rich person who bought an item of charity with his wealth, a poor person who is given charity and then he gives it as a gift to a rich person and a debtor.”<sup>43</sup>

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<sup>42</sup> This hadith is *hasan saheeh*. See Shaykh al-Albâni, *Saheeh Sunan Abi Dawood*, no. 1753. Recorded by Abu Dawood, al-Ilâkîm and al-Bayhaqi

<sup>43</sup> This hadith is *saheeh*. See Shaykh al-Albâni, *Saheeh al-Jâmi’ as-Sagheer*, no. 2750. Recorded by Abu Dawood and Ibn Mâjah

## ***Zakât al-Fiṭr*** **(Paid at the End of Ramaḍân)**

### *Its Ruling*

*Zakât al-Fiṭr* is an obligation upon every Muslim. Ibn ‘Umar said, “The Messenger of Allah (ﷺ) obligated *Zakât al-Fiṭr* as one *sā‘*<sup>44</sup> of dates or barley. It is a must upon every slave and free person, male and female, young or old of the Muslims. He ordered that it should be given before going out to perform the ‘Eid prayer.”<sup>45</sup>

### *Its Wisdom*

Ibn ‘Abbâs said, “The Messenger of Allah (ﷺ) obligated *Zakât al-Fiṭr* as purification for the fasting person from foul or vain speech and to feed the poor. If someone gives it before the (‘Eid) prayer, it is an accepted Zakah. If someone gives it after the (‘Eid) prayer it is simply a type of charity.”<sup>46</sup>

### *Upon Whom is it Obligatory?*

It is obligatory upon every free Muslim who possesses enough to support himself and his family for one day and night. It is obligatory for him to be on behalf of himself and all whom he

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<sup>44</sup> [A *sā‘* is four times the amount an average size person can hold in his hands when they are cupped together.] – Translator

<sup>45</sup> Recorded by Bukhari, Muslim, Tirmidhi, Abu Dawood, Nasâ’i and by Ibn Mâjah who does not have the second portion of the hadith.

<sup>46</sup> This hadith is *hasan*. See Shaykh al-Albâni, *Saheeh Sunan Ibn Mâjah*, no. 1480. Recorded by Ibn Majah and Abu Dawood.

supports, such as his wife, children and servants, if they are Muslims. Ibn 'Umar said, "The Messenger of Allah (ﷺ) ordered that *Zakât al-Fitr* be given on behalf of the young, old, free, slave and those whom you support."<sup>47</sup>

### *Its Amount*

Obligatory upon every individual is half a *s'â*<sup>48</sup> of wheat or a *s'â* of dates, raisins, barley or dried yoghurt, or other kinds of food that can take their place, such as rice and other staple foods. The evidence for the obligation of a half *s'â* of wheat is in the hadith of 'Urwah ibn az-Zubayr who said, "Asmâ' bint Abu Bakr, during the time of the Messenger of Allah (ﷺ), used to give the Zakah on behalf of her family, the free and the slaves among them. She would give half a *s'â* of wheat or a *s'â* of dates, according to the measures and *s'â* that would support them." The evidence that for other than wheat one must give a *s'â* is in the hadith of Abu Sa'eed al-Khudri who said, "We used to give *Zakât al-Fitr* as a *s'â* of meal, barley, dates, dried yoghurt or raisins."<sup>49</sup>

"According to most of the jurists, it is not allowed to give its value (in money). However, Abu Hanecfah allows it." This was stated by an-Nawawi in *Sharh Saheeh Muslim* (vol. 7, p. 60). I say that Abu Hanecfah's view is to be rejected because your Lord is not forgetful and had giving its value been permissible, Allah or His Messenger would have made that clear. Hence, it is obligatory to stop

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<sup>47</sup> This hadith is *saheeh*. See Shaykh al-Albâni, *I'rwâ' al-Ghaleel*, no. 835. Recorded by ad-Dâraquṭni and al-Bayhaqī.

<sup>48</sup> [A *s'â* is four times the amount an average size person can hold in his hands when they are cupped together.] - Translator

<sup>49</sup> Recorded by Bukhari, Muslim, Tirmidhi, Abu Dawood, Nasâ'i and Ibn Majah.



at the apparent and clear meaning of the text without distorting or reinterpreting it.

### *The time at which it is to be given*

Ibn ‘Umar stated, “The Messenger of Allah (ﷺ) ordered that it should be given before going out to perform the ‘Eid prayer.”<sup>50</sup>

It is permissible to give it to a recipient a day or two before the day of ‘Eid al-Fiṭr. Nâfi‘ said, “Ibn ‘Umar used to give it to those who would accept it. He would give it a day or two before the day of ‘Eid al-Fiṭr.”<sup>51</sup>

However, it is forbidden to delay it beyond its time without a valid excuse. Ibn ‘Abbâs said, “The Messenger of Allah (ﷺ) obligated *Zakât al-Fiṭr* as purification for the fasting person from foul or vain speech and to feed the poor. If someone gives it before the (‘Eid) prayer, it is an accepted Zakah. If someone gives it after the (‘Eid) prayer it is simply a type of charity.”<sup>52</sup>

### *Its recipients*

*Zakât al-Fiṭr* is only to be given to the poor. This is clear in the statement just quoted from Ibn ‘Abbâs, “to feed the poor.”

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<sup>50</sup> Recorded by Bukhari, Muslim, Tirmidhi, Abu Dawood, Nasâ’i and by Ibn Mâjah who does not have the second portion of the hadith.

<sup>51</sup> This hadith is *saheeh*. Recorded by Bukhari.

<sup>52</sup> This hadith is *hasan*. See Shaykh al-Albâni, *Saheeh Sunan Ibn Mâjah*, no. 1480. Recorded by Ibn Majah and Abu Dawood.

## Voluntary Charity

It is recommended to give often as voluntary charity.

Allah (ﷻ) says:

﴿مَثَلُ الَّذِينَ يُنْفِقُونَ أَمْوَالَهُمْ فِي سَبِيلِ اللَّهِ كَمَثَلِ حَبَّةٍ أَنْبَتَتْ سَبْعَ سَنَابِلَ فِي كُلِّ سُنبُلَةٍ مِائَةٌ حَبَّةٌ وَاللَّهُ يُضَاعِفُ لِمَنْ يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ﴾ (٢٦١)

(سورة البقرة: ٢٦١)

«The likeness of those who spend their wealth in the Way of Allah is as the likeness of a grain [of corn]; it grows seven ears, and each ear has a hundred grains. Allah gives manifold increase to whom He pleases. And Allah is All-Sufficient for His creatures' needs, All-Knower.» (Qur'an 2: 261)

Furthermore, the Prophet (ﷺ) said, "In the morning of every day, two angels descend from Heaven. One of them says, 'O Allah! Compensate whoever spends (in Your cause),' and the other says, 'O Allah! Destroy whoever withholds.'"<sup>53</sup>

Among the people, priority should be given to one's family and relatives. The Messenger of Allah (ﷺ) said, "Giving charity to the poor is an act of charity while giving charity to a relative is two acts of charity and keeping the ties of kinship."<sup>54</sup>

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<sup>53</sup> Recorded by Bukhari and Muslim.

<sup>54</sup> This hadith is *saheeh*. See Shaykh al-Albani, *Saheeh al-Jāmi' as-Sagheer*, no. 3858. Recorded by Tirmidhi.

دَعْوَةٌ

الحمد لله

*Assassin With Al Qalam*